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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of
Richard R. Hertzog et al
Serial No.: 08/601,879
Filed: February 15, 1996
Attorney Docket No.: 113692.2

DECISION ON REMAND

This is a decision on the disposition of the Remand of the above identified application by the Board of Patent Appeals and Interferences, mailed February 15, 2001.

This application was remanded for consideration by the examiner of a potential interference with another application and included a set of new application papers entitled continuation application of Serial No. 08/601,879. The papers did not request or direct that the above identified application be abandoned in favor of the continuation application. These papers have been forwarded for processing as a new application and will be returned to the examining group in due course.

A careful comparison of the claims of the above identified application with those of the potentially interfering application show that there are significant differences in claim limitations and in what is actually being claimed. The continuing application copies or substantially copies claims from the other application. Should the copied claims find appropriate support in the continuing application and be found patentable, an interference proceeding may be instituted. The interference proceeding, if instituted, would not affect the outcome of the appeal in this application.

The application is, therefore, returned to the Board of Patent Appeals and Interferences for decision.

John Doll
Director, Technology Center 1600